

# **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Thomas J. Willi, Town Administrator

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** Town-wide

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF BECKER & POLIAKOFF, P.A. AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Becker & Poliakoff wishes to have the Town execute an Authority to Represent agreement for the purposes of representing the Town in a petition against De Moya Group, Inc. and Kevin Carmichael, Trustee. The agreement calls for a billable rate of \$165.00 per hour for attorney services and \$75 per hour for paralegal services if required. In addition, an initial cost deposit of \$1,500 is required for out-of-pocket expenses. On February 5, 2003 the Town Council granted authority to the Town Administrator to take any legal actions necessary to obtain the Spur Road property. This resolution is in furtherance of that objective.

**PREVIOUS ACTIONS:** R-2001-180

**CONCURRENCES:** N/A

**FISCAL IMPACT:**

Has request been budgeted? Yes.

001-0304-513-0307 Other Legal Fees

**RECOMMENDATION(S):** Motion to approve resolution.

**Attachment(s):** Resolution.

Resolution \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF BECKER & POLIAKOFF, P.A. AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie is in need of legal representation in an action against De Moya Group, Inc. and Kevin Carmichael, Trustee; and

WHEREAS, the subject of the litigation concerns the Spur Road property; and

WHEREAS, the Town wishes to retain the legal services of Becker & Poliakoff, P.A. to represent the Town in this litigation; and

WHEREAS, the fee to be charged by Becker & Poliakoff, P.A. to represent the Town in this action is \$165.00 per hour for any services rendered by attorneys of the firm, and \$75 per hour for any services rendered by paralegals of the firm as set forth in the attached Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie hereby authorizes the Town to retain the legal services of Becker & Poliakoff, P.A. to represent the Town in litigation against De Moya Group, Inc. and Kevin Carmichael, Trustee.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.